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**ATTORNEY DOCKET NO. 2004117-0002 (NEMC 197)**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Carr, <i>et al.</i>	Examiner:	Landsman, R.S.
Serial No.:	09/428,692	Art Unit:	1647
Filing Date:	October 28, 1999		
Title:	NOVEL CHIMERIC ANALGESIC PEPTIDES		

Assistant Commissioner of Patents  
Washington, DC 20231

**ATTENTION: Refund Section, Accounting Division, Office of Finance**

**REQUEST FOR REFUND UNDER 37 C.F.R. § 1.26 and 35 U.S.C. § 42(d)**

Applicant hereby requests a refund of \$1,710.00 for the above-referenced application. The reasons for the request for refund are set forth below:

Applicant filed a Written Assertion of Small Entity Status under 37 C.F.R. § 1.27(a)(3) on February 5, 2002 in the above-referenced application, a copy of which is enclosed herewith. Also enclosed are copies of the original Transmittal and of the return postcard attesting that the Assertion of Small Entity Status was received by the U.S. Patent & Trademark Office (USPTO) on February 19, 2002.

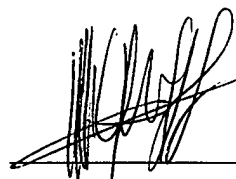
On March 15, 2002, Applicant filed an Amendment and Response under 37 C.F.R. § 1.111 with authorization to charge any fees to our deposit account. The USPTO subsequently charged our deposit account an excess claim fee in an amount of \$3,420.00 (*i.e.*, Large Entity) on March 20, 2002. A copy of the deposit account statement indicating such charge is enclosed herewith. A Small Entity excess claim fee should have been applied.

Applicant hereby requests a refund of \$1,710.00 to be credited to our Deposit Account No. 03-1721. This request for refund is made within two years from the date of the deposit account statement indicating that the amount paid in excess of that required was charged in this application, therefore the present request is being timely filed.

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Please charge any additional fees or credit any overpayments that may be required to our  
Deposit Account No. 03-1721.

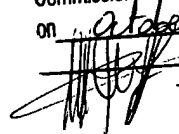
Date: October 7, 2002



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I hereby certify this correspondence is being  
deposited with the United States Postal Service as first  
class mail in an envelope addressed to Assistant  
Commissioner For Patents, Washington, D.C. 20231  
on October 7, 2002



(NADÈGE LAGNEAU)